

DOCKET NO: 291601US53PCT

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :
ETSUO SHINMURA, ET AL. : EXAMINER: FORD, JOHN K
SERIAL NO: 10/581,527 :
FILED: MAY 17, 2007 : GROUP ART UNIT: 3784
FOR: VEHICLE AIR-CONDITIONING :
RELATED TECHNIQUE HAVING
REFRIGERATION CYCLE OF
SUPERCRITICAL REFRIGERANT

**RESPONSE TO RESTRICTION AND
ELECTION OF SPECIES REQUIREMENTS**

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

In response to the Restriction Requirement stated in the Official Action dated December 8, 2010, Applicants provisionally elect Group (Invention) I, Claims 1-16 and 23, drawn to a heat exchanger apparatus. Furthermore, in response to the Election of Species Requirement stated in the same Official Action, Applicants provisionally elect First Species, as disclosed in Figures 1-2, and identify Claims 1-3, 13-16 and 23 as readable on the elected Species.

Applicants respectfully traverse the outstanding Restriction and Election of Species Requirements for the following reason.

MPEP § 803 states the following:

If the search and examination of all the claims in an application can be made without serious burden, the Examiner must examine them on the merits, even though they include claims to independent or distinct inventions.